



DEPARTMENT OF PERSONNEL

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MEMO PERD #16/05

April 5, 2005

TO: Designees for Rules Distribution
FROM: Jeanne Greene, Director
Department of Personnel
SUBJECT: Chapter 284 of NAC: Temporary Regulation Changes

Enclosed are the temporary regulations that were adopted by the Personnel Commission on March 25, 2005. These regulations became effective April 1, 2005, the date they were filed with the Secretary of State. The revisions appear in bold and italic type.

Please advise all administrators and personnel representatives of these changes, as appropriate. You may wish to reproduce these pages and distribute them to all personnel rule recipients. These revisions are also available on the Department of Personnel website at <http://dop.nv.gov>.

Because temporary regulations will automatically expire on November 1, 2005, these regulations will be filed for permanent adoption after July 1, 2005. When the regulations are adopted as permanent, they will be distributed in final form.

If you have any questions regarding these regulation changes, please contact Tracy Walters at (775) 684-0130 or by e-mail twalters@dop.nv.gov.

JG:sq

Attachment

cc: Agency Personnel Liaisons
Agency Personnel Representatives

NEW SECTION “Lack of promotional candidate” defined. (NRS 284.065, 284.155, 284.295) “Lack of promotional candidate” means sufficient applicants for promotion are not normally available. A class may receive this designation when there are historically less than five candidates available within state service.

NAC 284.063 “Entry level” defined. (NRS 284.065) “Entry level” includes trainee and journey level classes where supervision is not a requirement of the class.

(Added to NAC by Dep’t of Personnel, eff. 10-26-84)

NAC 284.069 “Journey level” defined. (NRS 284.065) “Journey level” means the level of performance within an occupational specialty that requires a degree of knowledge and proficiency sufficient to perform independently with little or no additional training. (Added to NAC by Dep’t of Personnel, eff. 10-26-84)

NAC 284.718 Confidential records. (NRS 284.065, 284.155, 284.407)

1. The following types of information, which are maintained by the Department of Personnel or the personnel office of an agency, are confidential:

(a) Information relating to salaries paid in other than governmental employment which is furnished to the Department of Personnel on the condition that the source remain confidential;

(b) Any document which is used by the Department of Personnel or an agency in negotiations with employees or their representatives which has not been made public by mutual agreement;

(c) The rating and remarks concerning an applicant by the individual members of the board or assessors of a center for assessment;

(d) Materials used in examinations, including suggested answers for oral examinations;

(e) Records and files maintained by the Employee Assistance Program;

(f) Reports by employers, appointing authorities or law enforcement officials concerning the hiring, promotion or background of applicants, eligible persons or employees;

(g) The class title and agency of an employee whose name is excluded from the official roster, as provided in subsection 3 of NAC 284.714, when an inquiry concerning the employee is received;

(h) Any information contained on a person’s application or relating to his status as an eligible person; and

(i) Information in the file or record of employment of a current or former employee which relates to his:

(1) Performance;

(2) Conduct, including any disciplinary actions taken against him;

(3) Race, ethnic identity or affiliation, sex, disability or date of birth;

(4) Home telephone number; or

(5) Social security number.

(j) Any document which is used by the Department of Personnel or an agency in the interview process including interview questions, instruments used for rating candidates, and rater notes.

2. If the employee has requested that his personal mailing address be listed as confidential, his file must be so designated and list his business address.

3. The name of any beneficiary of an employee contained in the payroll document must not be released to anyone unless:

(a) The employee dies; or

(b) The employee signs a release.

4. Any records in the possession of the Committee on Catastrophic Leave created pursuant to NRS 284.3627 that reveal the health, medical condition or disability of a current or former employee or a member of his immediate family are confidential.

5. Any notes, records, recordings or findings of an investigation conducted by the Department of Personnel relating to sexual harassment or discrimination, or both, and any findings of such an investigation that are provided to an appointing authority are confidential.

[Personnel Div., Rule XVI part § C, eff. 8-11-73]—(NAC A by Dep’t of Personnel, 8-28-85; 7-21-89; 7-6-92; 11-12-93; R058-01, 9-6-2001; A by Personnel Comm’n by R068-03, 10-30-2003; R182-03, 1-27-2004)